

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JENNIFER ST. JOHN, individually, and as  
personal representative of the Estate of  
Steve St. John, deceased,

Plaintiffs,

v.

CIV 08-0229 JCH/KBM

ROBERT WILCOX, M.D. and  
GILA REGIONAL MEDICAL CENTER,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

The Magistrate Judge electronically filed proposed findings on August 14, 2009, which advise the parties that objections will be waived if they are not filed within ten days of receipt of the proposed findings. *See Doc. 97*. To-date no objections have been filed.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. Defendant Wilcox's Motion to Strike (*Doc. 93*) is **denied**;
2. Plaintiff's Motion to Stay Claims Against Defendant Wilcox and Alternative Motion for Dismissal of All Claims Against Defendant Wilcox Without Prejudice (*Doc. 74*) is **denied**; and
3. Defendant Gila Regional Medical Center's Motion for Leave to File Amended Answer and Third Party Complaint (*Doc. 79*) is **granted**.

  
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JUDITH C. HERRERA

UNITED STATES DISTRICT JUDGE